

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

EDWARD A. BRINSKELE,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

No. C-13-MISC-80094 JSW (DMR)

**REPORT AND RECOMMENDATION  
RE APPLICATION FOR WRIT OF  
GARNISHMENT**

On April 30, 2013, the United States registered and filed a judgment that was entered in the United States Court of Federal Claims on September 3, 2009. Plaintiff and Judgment Debtor Edward A. Brinskele is indebted to the United States in the amount of \$1,514,140.15, plus statutory interest accruing from September 2, 2009 until fully paid. [Docket No. 1 (Judgment).] On March 21, 2013, the United States demanded payment of the judgment, but Brinskele has not satisfied the debt. (Yang-Green Decl., June 13, 2013, ¶¶ 3-4, Ex. A.) As of May 20, 2013, the balance of the judgment was \$1,710,740.96. (Yang-Green Decl. ¶ 4, Ex. B.)

On June 13, 2013, the United States filed an application for writ of garnishment pursuant to 28 U.S.C. § 3205(b) [Docket No. 5], which the court referred to the undersigned for a Report and Recommendation. Upon consideration of the application, finding that the application complies with the requirements of 28 U.S.C. § 3205, and for good cause shown, the court hereby recommends that the application for writ of garnishment be granted. The court recommends that the Clerk of the

1 Court issue a Writ of Garnishment to Vir2us, Inc. as Garnishee for the purpose of garnishing  
2 property (including nonexempt disposable earnings) in which Plaintiff and Judgment Debtor Edward  
3 A. Brinskele has a substantial nonexempt interest in order to satisfy the judgment entered in the  
4 above-captioned case against the Judgment Debtor.

5 Any party may file objections to this report and recommendation with the District Judge  
6 within 14 days after being served with a copy. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(a);  
7 N.D. Cal. Civ. L.R. 72-2.

8  
9 IT IS SO ORDERED.

10  
11 Dated: July 3, 2013

